

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 01 2000

Returned to applicant for correction _____

Corrected application filed FEB 05 2001

Map filed JAN 30 2001 under 66437T

The applicant **Ronald Simek & Little Mondeaux Limousin Corporation** hereby make application for permission to change the **place of use of a portion of** water heretofore appropriated under **Claim of Vested Right 09250**

1. The source of water is **James Canyon and its tributaries**
2. The amount of water to be changed **143.95 acres**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation, power generation, stock watering**
5. The water is to be diverted at the following point **the NW¼ NW¼ of Section 27, T.14N., R.19E., M.D.M., or at a point from which the North ¼ corner of Section 26, T.14N., R.19E., M.D.M., bears North 76° 46' East, a distance of 6,846 feet**
6. The existing permitted point of diversion is located within
7. Proposed place of use **(see attached sheet)**
8. Existing place of use **(see attached sheet)**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **diversion box, pipeline and sprinkler irrigation system.**
12. Estimated cost of works **\$250,000.00**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **This application is being filed to support and document improvements and**

modifications that have recently been made to the historic irrigation systems to accomplish irrigation of an 18-hole golf course from this source.

R.O. ANDERSON ENGINEERING, INC.
By Robert O. Anderson, P.E.
s/ Robert O. Anderson
1603 Esmeralda Avenue
Minden, Nevada 89423

Compared gkl/ cmf ds/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of James Canyon and its Tributaries heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 09250 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of James Canyon and its Tributaries that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 66970 (a portion of), 66971, and 66972 shall not exceed 668.76 acre-feet per year for the irrigation of 137.88 acres.

There are 4.41 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.66 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T.14N., R.19E., that can be irrigated under this permit, but are not supplemental to Permits 66971 and 66972.

The issuance of this permit expires Temporary Permit 66437-T.
(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 575.80 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 21, 2002

Proof of completion of work shall be filed before:

October 21, 2002

Water must be placed to beneficial use on or before:

September 21, 2003

Proof of the application of water to beneficial use shall be filed on or before:

October 21, 2003

Map in support of proof of beneficial use shall be filed on or before:

October 21, 2003

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 21st day of, September A.D. 2001

Hugh Ricci, P.E.
State Engineer

Completion of work filed NOV 20 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED DEC 03 2007 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT *Portion*
Tony T... **2428AF**
STATE ENGINEER
Can. Rescinded 12-1-2008~~

PERMIT #09250
EXISTING PLACE OF USE

| <u>Acreage</u> | <u>Sub</u> | <u>Section</u> | <u>Township</u> | <u>Range</u> |
|----------------|------------|----------------|-----------------|--------------|
| 14.00 ✓ | SW NE | 26 | 14 N | 19 E |
| 21.30 ✓ | SE NE | 26 | 14 N | 19 E |
| 7.40 ✓ | NE SW | 26 | 14 N | 19 E |
| 13.60 ✓ | SW SW | 26 | 14 N | 19 E |
| 31.20 ✓ | SE SW | 26 | 14 N | 19 E |
| 33.10 ✓ | NW SE | 26 | 14 N | 19 E |
| 9.30 ✓ | NE SE | 26 | 14 N | 19 E |
| 11.60 ✓ | SW SE | 26 | 14 N | 19 E |
| 7.00 ✓ | SE SE | 27 | 14 N | 19 E |
| 0.50 ✓ | NE NE | 34 | 14 N | 19 E |
| 0.00 | SW NE | 34 | 14 N | 19 E |
| 0.00 | SE NE | 34 | 14 N | 19 E |
| 0.00 | NW SE | 34 | 14 N | 19 E |
| 0.00 | NE SE | 34 | 14 N | 19 E |
| 0.10 ✓ | NW NW | 35 | 14 N | 19 E |
| 8.40 ✓ | NE NW | 35 | 14 N | 19 E |
| 0.00 | SW NW | 35 | 14 N | 19 E |
| 0.00 | SE NW | 35 | 14 N | 19 E |
| 0.00 | NW NE | 35 | 14 N | 19 E |
| 157.50 | Total | | | |

PROPOSED PLACE OF USE
Permit #09250

| <u>Acreage</u> | <u>Sub</u> | <u>Section</u> | <u>Township</u> | <u>Range</u> |
|----------------|------------|----------------|-----------------|--------------|
| 14.54 | SW NE | 26 | 14 N | 19 E |
| 4.41 | SE NE | 26 | 14 N | 19 E |
| 7.38 | NE SW | 26 | 14 N | 19 E |
| 12.34 | SW SW | 26 | 14 N | 19 E |
| 34.04 | SE SW | 26 | 14 N | 19 E |
| 23.97 | NW SE | 26 | 14 N | 19 E |
| 1.39 | NE SE | 26 | 14 N | 19 E |
| 10.47 | SW SE | 26 | 14 N | 19 E |
| 0.03 | NE NE | 26 | 14 N | 19 E |
| 5.10 | NW NE | 26 | 14 N | 19 E |
| 7.32 | NE NW | 26 | 14 N | 19 E |
| 1.50 | NW NW | 26 | 14 N | 19 E |
| 4.99 | SW NW | 26 | 14 N | 19 E |
| 6.55 | SE NW | 26 | 14 N | 19 E |
| 4.47 | NW SW | 26 | 14 N | 19 E |
| 0.72 | NE NE | 27 | 14 N | 19 E |
| 4.42 | SE NE | 27 | 14 N | 19 E |
| 0.31 | NE SE | 27 | 14 N | 19 E |
| <u>143.95</u> | TOTAL | | | |

SUMMARY OF PROPOSED PLACE OF USE OF JAMES CANYON AND SUPPLEMENTAL GROUNDWATER RIGHTS

| SUB | SEC | TWP | RGE | PERMIT #09250 | | Non-Supplemental | | Remaining | PERMIT #8771 | | Non-Supplemental | | Remaining | PERMIT #53452 | | Non-Supplemental | | Remaining |
|---------------|-----|-----|-----------|------------------|-----------------|------------------|-----------------|-----------|------------------|-----------------|------------------|-----------------|-----------|------------------|-----------------|------------------|-----------------|-----------|
| | | | | Existing Acreage | Severed Acreage | Supplemental | Severed Acreage | | Existing Acreage | Severed Acreage | Supplemental | Severed Acreage | | Existing Acreage | Severed Acreage | Supplemental | Severed Acreage | |
| SW | NE | 26 | 14 N 19 E | 14.00 | | 13.25 | 0.75 | 0.00 | 13.25 | | 4.70 | 0.00 | 0.00 | 13.25 | | 4.70 | 0.00 | 0.00 |
| SE | NE | 26 | 14 N 19 E | 21.30 | | 4.70 | 16.60 | 0.00 | 4.70 | | 0.00 | 0.00 | 0.00 | 4.70 | | 0.00 | 0.00 | 0.00 |
| NE | SW | 26 | 14 N 19 E | 7.40 | | 0.60 | 6.80 | 0.00 | 0.80 | | 0.20 | 0.00 | 0.00 | 0.80 | | 0.20 | 0.00 | 0.00 |
| SW | SW | 26 | 14 N 19 E | 13.60 | | 3.05 | 5.40 | 5.15 | 3.05 | | 0.00 | 0.00 | 0.00 | 8.20 | | 3.05 | 0.00 | 5.15 |
| SE | SW | 26 | 14 N 19 E | 31.20 | | 31.20 | 0.00 | 0.00 | 32.25 | | 3.05 | 1.05 | 0.00 | 34.40 | | 31.20 | 1.05 | 2.15 |
| NW | SE | 26 | 14 N 19 E | 33.10 | | 33.10 | 0.00 | 0.00 | 36.56 | | 33.10 | 3.46 | 0.00 | 36.56 | | 33.10 | 3.46 | 0.00 |
| NE | SE | 26 | 14 N 19 E | 9.30 | | 5.75 | 3.55 | 0.00 | 6.50 | | 5.75 | 0.75 | 0.00 | 6.50 | | 5.75 | 0.75 | 0.00 |
| SW | SE | 26 | 14 N 19 E | 11.60 | | 11.60 | 0.00 | 0.00 | 18.38 | | 11.60 | 3.33 | 0.00 | 18.38 | | 11.60 | 3.33 | 0.00 |
| SE | SE | 27 | 14 N 19 E | 7.00 | | 0.00 | 0.90 | 6.10 | 0.00 | | 0.00 | 0.19 | 0.00 | 6.10 | | 0.00 | 0.00 | 6.10 |
| NE | NE | 34 | 14 N 19 E | 0.50 | | 0.00 | 0.00 | 0.50 | 8.71 | | 0.00 | 0.00 | 8.52 | 20.00 | | 0.00 | 0.19 | 19.81 |
| SW | NE | 34 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.70 | | 0.00 | 0.00 | 0.70 |
| SE | NE | 34 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 1.92 | | 0.00 | 0.00 | 1.92 | 36.30 | | 0.00 | 0.00 | 36.30 |
| NW | SE | 34 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.10 | | 0.00 | 0.00 | 0.10 |
| NE | SE | 34 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 5.75 | | 0.00 | 0.00 | 5.75 |
| NW | NW | 35 | 14 N 19 E | 0.10 | | 0.10 | 0.00 | 0.00 | 36.81 | | 0.10 | 10.99 | 25.72 | 36.81 | | 0.10 | 10.99 | 25.72 |
| NE | NW | 35 | 14 N 19 E | 8.40 | | 6.60 | 0.00 | 1.80 | 32.73 | | 6.60 | 7.70 | 18.43 | 38.70 | | 6.60 | 7.70 | 24.40 |
| SW | NW | 35 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 8.20 | | 0.00 | 0.00 | 8.20 | 8.20 | | 0.00 | 0.00 | 8.20 |
| SE | NW | 35 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 0.43 | | 0.00 | 0.00 | 0.43 | 1.80 | | 0.00 | 0.00 | 1.80 |
| NW | NE | 35 | 14 N 19 E | 0.00 | | 0.00 | 0.00 | 0.00 | 26.03 | | 0.00 | 0.26 | 25.77 | 26.03 | | 0.00 | 0.26 | 25.77 |
| Total Acreage | | | | 157.50 | | 109.95 | 34.00 | 13.55 | 230.32 | | 109.95 | 27.93 | 92.44 | 303.28 | | 109.95 | 27.93 | 165.40 |

Total Severed Acreage Under 09250 143.95

Total Severed Acreage Under 8771 137.88

Total Severed Acreage Under 53452 137.88